

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. OF 2008
IN
SUIT NO.1844 OF 1982

Prasad A. KarandikarPlaintiff
V/s.
Mahadeo P. Thorat & Ors.Defendants

Ms.Varsha Palav for the Plaintiff.

Mr.V.V. Yadav for Defendant No.1.

Mr.D.V. Deokar, 1st Assistant to the Court Receiver
present.

CORAM : S.J. VAZIFDAR, J.
DATED : 31ST JANUARY, 2008.

P.C. :

Mentioned, not on board.

2. Leave under Rules 147 and 148 of the High Court of Judicature at Bombay (O.S.) 1980 granted to the Plaintiff to take out a Notice of Motion in terms of the draft Notice of Motion handed in, returnable forthwith.

3. An apprehension is expressed regarding the aspect of limitation. It is for this reason that the present application is moved for urgent orders.

4. Ad-interim orders in terms of prayers (a) and (b). The relief is granted although prayer (b) is sought in the alternative in view of the said apprehension.

5. It is however, clarified that this order and any further acts including of registration and stamping shall be subject to the final orders in the Notice of Motion. Ms.Palav, the learned counsel appearing on behalf of the Plaintiff agrees that mere passing of this order shall not affect the rights and contentions of the other parties on merits, if any.

6. Further the Plaintiff shall not disposed of, alienate, encumber, part with possession of or create any third party rights in respect of the property which is the subject matter of the suit and the present Notice of Motion pending the hearing and final disposed of the Notice of Motion.

. All the parties to act on an ordinary copy of this order duly authenticated by the Associate/Private Secretary of this Court.